

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**MeridianEMR, INC.,**

**Plaintiff,**

**v.**

**INTUITIVE MEDICAL SOFTWARE, LLC,  
d/b/a UROCHART, and THE SHAPPLEY  
CLINIC,**

**Defendants.**

11-cv-3480 (WJM)

**ORDER**

**THIS MATTER** having been opened by way of Plaintiff MeridianEMR, Inc.’s application for an Order to Show Cause seeking temporary restraints and a preliminary injunction; and an Order to Show Cause having been issued by the Court on June 17, 2011; and a hearing having been held on July 21, 2011; and the Court having reserved on its decision with respect to the Order to Show Cause application pending the parties’ conference with Judge Falk; and the conferences with Judge Falk having occurred; and the Court finding that most of Plaintiff’s requested injunctive relief is unnecessary at this time as there is no threat of irreparable harm; and the Court further noting that some of Plaintiff’s requested injunctive relief is simply to require Defendant Intuitive Medical Software, LLC (“IMS”) to abide by the law, and therefore does not require a Court order; and for the reasons stated on the record during the July 21, 2011 Hearing; and for good cause appearing,

**IT IS** on this 18th day of August 2011, hereby,

**ORDERED** that the Server at issue shall remain in the custody of the neutral third party expert charged with safeguarding the information on it, unless the parties agree otherwise; and it is

**FURTHER ORDERED** that since Defendant IMS cannot access the Server at issue while it is in the custody of the neutral third party, there is no tangible threat of irreparable harm in this case, and therefore no restraints against Defendant IMS are necessary at this time.

s/ William J. Martini

**WILLIAM J. MARTINI, U.S.D.J.**